

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BAVARIAN NORDIC A/S and)	
ANTON MAYR,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 05-614 (SLR)
)	
ACAMBIS INC. and)	
ACAMBIS PLC,)	
)	
Defendants.)	

**DEFENDANTS' MOTION TO DISMISS,
OR IN THE ALTERNATIVE FOR SUMMARY JUDGMENT ON ALL CLAIMS**

Defendants Acambis Inc. and Acambis Plc ("Acambis") hereby move to dismiss all of the claims in this case pursuant to Federal Rule of Civil Procedure 12(c), or alternatively for summary judgment on all claims pursuant to Federal Rule of Civil Procedure 56. The grounds for this motion are set forth in Defendants' Opening Brief in Support of Defendants' Motion to Dismiss, Or In The Alternative For Summary Judgment On All Claims.

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/s/ James W. Parrett, Jr.

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Dated: December 7, 2006

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2006, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to the following:

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Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on December 7, 2006 upon the following individuals in the manner indicated:

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